

| ORDER FOR SUPPLIES OR SERVICES | | | | | | | | | | PAGE 1 OF 8 | |
|--|--|--|------------------------------------|------------------------------|--|---|---|---|---------------------|---|------------|
| 1. CONTRACT PURCH ORDER/AGREEMENT NO. SP0700-99-D-9727 | | | 2. DELIVERY ORDER/CALL NO. BR29 | | 3. DATE OF ORDER/CALL (YYYYMMDD) 2004JUN30 | | 4. REQUISITION/PURCH REQUEST NO. SEE SCHEDULE | | 5. PRIORITY DOA4 | | |
| 6. ISSUED BY TACOM WARREN AMSTA-AQ-AHPC SHIRLEY GHARAGOZLOO (586)574-7163 WARREN, MICHIGAN 48397-5000 EMAIL: GHARAGOS@TACOM.ARMY.MIL HTTP://CONTRACTING.TACOM.ARMY.MIL | | | CODE W56HZV | | 7. ADMINISTERED BY (If other than 6) DCMA HUNTSVILLE BIRMINGHAM GROUP BURGER PHILLIPS CENTER 1910 THIRD AVE. NORTH, RM 201 BIRMINGHAM, AL 35203-2376 | | | CODE S0101A | | 8. DELIVERY FOB <input type="checkbox"/> DESTINATION <input checked="" type="checkbox"/> OTHER (See Schedule if other) | |
| 9. CONTRACTOR CUMMINS ENGINE COMPANY AFTERMARKET 4155 QUEST WAY MEMPHIS, TN. 38115-5017 NAME AND ADDRESS | | | CODE 0B8S3 | | FACILITY | | 10. DELIVER TO FOB POINT BY (Date) (YYYYMMDD) SEE SCHEDULE | | | 11. X IF BUSINESS IS <input type="checkbox"/> SMALL <input type="checkbox"/> SMALL DISADVANTAGED <input type="checkbox"/> WOMAN-OWNED | |
| TYPE BUSINESS: Large Business Performing in U.S. | | | | | | | 12. DISCOUNT TERMS Net 30 Days | | | 13. MAIL INVOICES TO THE ADDRESS IN BLOCK See Block 15 | |
| 14. SHIP TO SEE SCHEDULE | | | CODE | | 15. PAYMENT WILL BE MADE BY DFAS-COLUMBUS CENTER DFAS-CO/SOUTH ENTITLEMENT OPERATION P.O. BOX 182264 COLUMBUS, OH 43218-2264 | | | CODE HQ0338 | | MARK ALL PACKAGES AND PAPERS WITH IDENTIFICATION NUMBERS IN BLOCKS 1 AND 2 | |
| 16. TYPE OF ORDER | | DELIVERY/ CALL | | X | | THIS DELIVERY ORDER IS ISSUED ON ANOTHER GOVERNMENT AGENCY OR IN ACCORDANCE WITH AND SUBJECT TO TERMS AND CONDITIONS OF ABOVE NUMBERED CONTRACT. | | | | | |
| PURCHASE | | | | | | Reference your <input type="checkbox"/> Oral <input type="checkbox"/> Written Quotation _____, Dated _____. furnish the following on terms specified herein. | | | | | |
| ACCEPTANCE. THE CONTRACTOR HEREBY ACCEPTS THE OFFER REPRESENTED BY THE NUMBERED PURCHASE ORDER AS IT MAY PREVIOUSLY HAVE BEEN OR IS NOW MODIFIED, SUBJECT TO ALL OF THE TERMS AND CONDITIONS SET FORTH, AND AGREES TO PERFORM THE SAME. | | | | | | | | | | | |
| <div style="display: flex; justify-content: space-between;"> NAME OF CONTRACTOR SIGNATURE TYPED NAME AND TITLE DATE SIGNED (YYYYMMDD) </div> <div style="margin-top: 10px;"> <input type="checkbox"/> If this box is marked, supplier must sign Acceptance and return the following number of copies: </div> | | | | | | | | | | | |
| 17. ACCOUNTING AND APPROPRIATION DATA/LOCAL USE SEE SCHEDULE | | | | | | | | | | | |
| 18. ITEM NO. | | 19. SCHEDULE OF SUPPLIES/SERVICE | | | | 20. QUANTITY ORDERED/ ACCEPTED* | | 21. UNIT | 22. UNIT PRICE | | 23. AMOUNT |
| | | SEE SCHEDULE CONTRACT TYPE: Fixed-Price Economic Price Adjustment KIND OF CONTRACT: Supply Contracts and Priced Orders | | | | | | | | | |
| * If quantity accepted by the Government is same as quantity ordered, indicate by X. If different, enter actual quantity accepted below quantity ordered and encircle. | | | | | 24. UNITED STATES OF AMERICA ELLEN DENNIS /SIGNED/ DENNISE@TACOM.ARMY.MIL (586)574-8056 BY: _____ CONTRACTING/ORDERING OFFICER | | | | | 25. TOTAL \$2,050,000.00 | |
| 27a. QUANTITY IN COLUMN 20 HAS BEEN <input type="checkbox"/> INSPECTED <input type="checkbox"/> RECEIVED <input type="checkbox"/> ACCEPTED, AND CONFORMS TO CONTRACT EXCEPT AS NOTED _____ | | | | | | | | | | | |
| b. SIGNATURE OF AUTHORIZED GOVERNMENT REPRESENTATIVE | | | | | | c. DATE (YYYYMMDD) | | d. PRINTED NAME AND TITLE OF AUTHORIZED GOVERNMENT REPRESENTATIVE | | | |
| e. MAILING ADDRESS OF AUTHORIZED GOVERNMENT REPRESENTATIVE | | | | | | 28. SHIP. NO. | | 29. D.O. VOUCHER NO. | | 30. INITIALS | |
| f. TELEPHONE NUMBER | | g. E-MAIL ADDRESS | | | | 31. PAYMENT <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL | | 32. PAID BY | | 33. AMOUNT VERIFIED CORRECT FOR | |
| 36. I CERTIFY THIS ACCOUNT IS CORRECT AND PROPER FOR PAYMENT. | | | | | | 31. PAYMENT <input type="checkbox"/> COMPLETE <input type="checkbox"/> PARTIAL <input type="checkbox"/> FINAL | | | | 34. CHECK NUMBER | |
| a. DATE (YYYYMMDD) | | b. SIGNATURE AND TITLE OF CERTIFYING OFFICER | | | | | | | | 35. BILL OF LADING NO. | |
| 37. RECEIVED AT | | 38. RECEIVED BY (Print) | | 39. DATE RECEIVED (YYYYMMDD) | | 40. TOTAL CONTAINERS | | 41. S/R ACCOUNT NUMBER | | 42. S/R VOUCHER NO. | |

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SUPPLEMENTAL INFORMATION

Award of this Delivery Order is tied to unit price and delivery lead-time quoted on 11 May 2004 by Jay Henderson, Marketing Manager for Government Products.

*** END OF NARRATIVE A 001 ***

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| Name of Offeror or Contractor: CUMMINS ENGINE COMPANY AFTERMARKET | | | | | |
| ITEM NO | SUPPLIES/SERVICES | QUANTITY | UNIT | UNIT PRICE | AMOUNT |
| | SUPPLIES OR SERVICES AND PRICES/COSTS | | | | |
| 0001 | NSN: 2815-01-280-2961 FSCM: 9Y639 PART NR: 12363270 SECURITY CLASS: Unclassified | | | | |
| 0001AA | <u>PRODUCTION QUANTITY</u> NOUN: ENGINE,DIESEL PRON: EH4Y7081EH PRON AMD: 02 ACRN: AA AMS CD: 060011 DRESSED 6CTA 8.3 CUMMINS RECON DIESEL ENGINE, PART NUMBER DR25361RX, WILL BE PROVIDED IN LIEU OF THE ORDNANCE PART NUMBER SPECIFIED ABOVE, WHICH IS NO LONGER AVAILABLE THROUGH NEW ITEM PRODUCTION. THE RECON ENGINE WILL CARRY A 2-YEAR WARRANTY WITH UNLIMITED MILEAGE. THESE ENGINES WILL BE SUBJECT TO ANY CORRECTIVE ACTION OR CONFIGURATION CHANGE IDENTIFIED BY THE TRIAL INSTALLATION WHICH TOOK PLACE AT CAMP DODGE, IA UNDER DELIVERY ORDER DAAE07-906-D-T024/0070. GOVERNMENT TECHNICAL DATA WILL BE USED FOR <u>CONTAINER REFERENCE ONLY.</u> (End of narrative D001) <u>Packaging and Marking</u> PACKAGING/PACKING/SPECIFICATIONS: SEE PACKAGING REQUIREMENTS CLAUSE UNIT PACK: 001 LEVEL PRESERVATION: Military LEVEL PACKING: A <u>Inspection and Acceptance</u> INSPECTION: Origin ACCEPTANCE: Origin The place of performance for this order is: Cummins, S. de R.L. de C.V. (CAGE SK183) San Luis Potosi, Mexico The inspection/acceptance point for this Order is as follows: Bryant Products, Inc. (CAGE 4X711) 816 F Ave., Freeman Field | 100 | EA | \$ 20,500.00000 | \$ 2,050,000.00 |

Name of Offeror or Contractor: CUMMINS ENGINE COMPANY AFTERMARKET

| ITEM NO | SUPPLIES/SERVICES | QUANTITY | UNIT | UNIT PRICE | AMOUNT | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|-------------------|---|-------------|-----------------|-----------------|--------------|--|--|---------------|-----------------|-------------|---------------|-----------------|--------------|-----|----------------|--------|---|--|---|-------------------|-----------------|--|-----------------|--|--|-----|-----|--|-------------|--|--|--|--|--|--|
| | <p>Seymour, IN 47274</p> <p>(End of narrative F001)</p> <p><u>Deliveries or Performance</u></p> <table><tr><td>DOC</td><td colspan="5">SUPPL</td></tr><tr><td><u>REL CD</u></td><td><u>MILSTRIP</u></td><td><u>ADDR</u></td><td><u>SIG CD</u></td><td><u>MARK FOR</u></td><td><u>TP CD</u></td></tr><tr><td>001</td><td>W56HZV4082T843</td><td>SW3227</td><td>J</td><td></td><td>2</td></tr><tr><td><u>DEL REL CD</u></td><td colspan="2"><u>QUANTITY</u></td><td colspan="3"><u>DEL DATE</u></td></tr><tr><td>001</td><td colspan="2">100</td><td colspan="3">28-FEB-2005</td></tr></table> <p>FOB POINT: Origin</p> <p>SHIP TO: <u>FREIGHT ADDRESS</u></p> <p>(SW3227) DEF DIST DEPOT RED RIVER RECEIVING BLDG 499 10TH STREET AND K AVENUE TEXARKANA TX 75507-5000</p> <p><u>CONTRACT/DELIVERY ORDER NUMBER</u></p> <p>SP0700-99-D-9727/BR29</p> <p>DELIVERY ACCELERATION IS AUTHORIZED PROVIDED THERE IS NO ADDITIONAL COST TO THE GOVERNMENT.</p> <p>PARTIAL SHIPMENTS ARE AUTHORIZED AND ENCOURAGED.</p> <p>(End of narrative F002)</p> | DOC | SUPPL | | | | | <u>REL CD</u> | <u>MILSTRIP</u> | <u>ADDR</u> | <u>SIG CD</u> | <u>MARK FOR</u> | <u>TP CD</u> | 001 | W56HZV4082T843 | SW3227 | J | | 2 | <u>DEL REL CD</u> | <u>QUANTITY</u> | | <u>DEL DATE</u> | | | 001 | 100 | | 28-FEB-2005 | | | | | | |
| DOC | SUPPL | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <u>REL CD</u> | <u>MILSTRIP</u> | <u>ADDR</u> | <u>SIG CD</u> | <u>MARK FOR</u> | <u>TP CD</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 001 | W56HZV4082T843 | SW3227 | J | | 2 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <u>DEL REL CD</u> | <u>QUANTITY</u> | | <u>DEL DATE</u> | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 001 | 100 | | 28-FEB-2005 | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

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PACKAGING AND MARKING

| | <u>Regulatory Cite</u> | <u>Title</u> | <u>Date</u> |
|---|------------------------|---|-------------|
| 1 | 52.211-4515 (TACOM) | PACKAGING REQUIREMENTS (SPECIAL PACKAGING INSTRUCTIONS) | JUN/2004 |

(a) Military preservation, packing, and marking for this contract/order shall be accomplished in accordance with the specific requirements identified below, all the applicable requirements of, MIL-STD-2073-1, Revision D, Dated 15 Dec 1999 and Notice 1, dated 10 May 2002, and the Special Packaging Instruction, see below.

- (1) LEVEL OF PRESERVATION: Military
- (2) LEVEL OF PACKING: A
- (3) QUANTITY PER UNIT PACKAGE: 001
- (4) SPECIAL PACKAGING INSTRUCTION NUMBER. AK12802961
- (a) REVISION 3
- (b) DATE OF REVISION 5 Apr 93

(b) Unitization: Shipments of identical items going to the same destination shall be palletized if they have a total cubic displacement of 50 cubic feet or more unless skids or other forklift handling features are included on the containers. Pallet loads must be stable, and to the greatest extent possible, provide a level top for ease of stacking. A palletized load shall be of a size to allow for placement of two loads high and wide in a conveyance. The weight capacity of the pallet must be adequate for the load. The preferred commercial expendable pallet is a 40 x 48 inch, 4-way entry pallet although variations may be permitted as dictated by the characteristics of the items being unitized. The load shall be contained in a manner that will permit safe handling during shipment and storage

(c) Marking:

(1) In addition to any special markings called out on the SPI, all unit packages, intermediate packs, exterior shipping containers, and, as applicable, unitized loads shall be marked in accordance with MIL-STD-129P(2), dated 10 Feb 2004, including bar coding. The contractor is responsible for application of special markings as discussed in the Military Standard regardless of whether specified in the contract/order or not. Special markings include, but are not limited to, Shelf-life markings, structural markings, and transportation special handling markings. The marking of pilferable and sensitive materiel will not identify the nature of the materiel.

(2) Contractors and vendors shall apply identification and address markings with bar codes in accordance with this standard. For shipments moving to overseas locations and for mobile deployable units, the in-the-clear address must also include the host country geographic address and the APO/FPO address. A Military Shipment Label (MSL) is required for all shipments except contractor to contractor. The MSL will include both linear and 2D bar codes per the standard. DVD shipment documentation must also be marked with additional bar codes. The DD Form 250 or the commercial packing list shall have additional issue/receipt bar coding applied as per Direct Vendor Delivery Shipments in the standard (except for deliveries to DLA Distribution Depots, e.g. New Cumberland, San Joaquin, Red River, Anniston). . Packing lists are required in accordance with the Standard, see paragraph 5.3.

(3) Contractor to contractor shipments shall have the address markings applied to the identification marked side of the exterior shipping container or to the unitized load markings. The following shall be marked "FROM: name and address of consignor and TO: name and address of consignee".

(4) Computer Automated Transportation Tool (CATT). The following website provides detailed instructions for downloading and installing the Military Shipment Label/Issue Receipt Document (CATT MSL/IRRD) software that will generate a Military Shipping Label to include the required Code 39 and 2D(PDF417) bar codes on the label: <http://www.asset-trak.com/catt/msl_irrd/mslirrdmain.htm> This program was developed by the Army and is free to those with government contracts. Two contractors have introduced a version of the MSL software that can be purchased by contractors. Both programs produce labels that appear to be in compliance with the requirements of MIL-STD-129P. Contractors are MILPAC (<<http://milpac.com/>>) and Easysoft Corporation (<<http://easysoftcorp.com/>>). Ensure that the ship to and mark for in-the-clear delivery address is complete including: consignees name, organization, department name, office, building, room, street address, city, state, country code, & DODAAC.

(d) Heat Treatment and Marking of Wood Packaging Materials: Boxes/pallets and any wood used as inner packaging made of non-manufactured wood shall be heat-treated. All non-manufactured wood used in packaging shall be heat treated to a core temperature of 56 degrees Celsius for a minimum of 30 minutes. The box/pallet manufacturer and the manufacturer of wood used as inner packaging shall be affiliated with an inspection agency accredited by the board of review of the American Lumber Standard Committee. The box/pallet

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manufacturer and the manufacturer of wood used as inner packaging shall ensure traceability to the original source of heat treatment. Each box/pallet shall be marked to show the conformance to the International Plant Protection Convention Standard. The quality mark shall be placed on both ends of the outer packaging, between the end cleats or end battens; on two sides of the pallet. Foreign manufacturers shall have the heat treatment of non-manufactured wood products verified in accordance with their National Plant Protection Organizations compliance program.

(e) Hazardous Materials(As applicable):

(1) Hazardous Materials is defined as a substance, or waste which has been determined by the Secretary of Transportation to be capable of posing an unreasonable risk to health, safety, and property when transported in commerce and which has been so designated. (This includes all items listed as hazardous in Titles 29, 40 and 49 CFR and other applicable modal regulations effective at the time of shipment.)

(2) Unless otherwise specified, packaging and marking for hazardous material shall comply with the requirements herein for the mode of transport and the applicable performance packaging contained in the following documents:

International Air Transport Association (IATA) Dangerous Goods Regulations
International Maritime Dangerous Goods Code (IMDG)
Code of Federal Regulations (CFR) Title 29, Title 40 and Title 49
Joint Service Regulation AFJMAN24-204/TM38-250/NAVSUPPUB 505/MCO
P4030.19/DLAM 4145.3 (for military air shipments).

(3) If the shipment originates from outside the continental United States, the shipment shall be prepared in accordance with the United Nations Recommendations on the Transport of Dangerous Goods in a manner acceptable to the Competent Authority of the nation of origin and in accordance with regulations of all applicable carriers.
A Product Material Safety Data Sheets (MSDS) is required to be included with every unit pack and intermediate container and shall be included with the packing list inside the sealed pouch attached to the outside of the package.

(f) This SPI has been validated and the method of preservation/packing has proven successful in meeting the needs of the military distribution system, including indeterminate storage and shipment throughout the world. Special instructions and/or tailoring of the SPI is detailed in the Supplemental Instructions below. A prototype package is required to validate the sizes and fit requirements of the SPI. Minor dimensional and size changes are acceptable provided contractor provides the PCO and ACO with notification 60 days prior to delivery. Any design changes or changes in the method of preservation that provide a cost savings without degrading the method of preservation or packing or affecting the serviceability of the item will be considered and responded to within 10 days of submission to PCO and ACO. Government reserves the right to require testing to validate alternate industrial preservation methods, materials, alternate blocking, bracing, cushioning, and packing.

(f) SUPPLEMENTAL INSTRUCTIONS: The Special Packaging Instruction mentioned above is attached.

[End of Clause]

Name of Offeror or Contractor: CUMMINS ENGINE COMPANY AFTERMARKET

CONTRACT ADMINISTRATION DATA

| PRON/ | | | | | | | | | | JOB | | | | |
|-------------|----------------------|-------------|----------------------------------|----------------------------------|-----------|------|--------|--------|---------------|----------------|---------------|--------------|--------------|--|
| LINE | AMS | CD/ | OBLG | | | | | | | ORDER | ACCOUNTING | | OBLIGATED | |
| <u>ITEM</u> | <u>MIPR</u> | <u>ACRN</u> | <u>STAT</u> | <u>ACCOUNTING CLASSIFICATION</u> | | | | | <u>NUMBER</u> | <u>STATION</u> | <u>AMOUNT</u> | | | |
| 0001AA | EH4Y7081EH | AA | 2 | 97 | X4930AC9D | 6D | 26KB | S20113 | | W56HZV | \$ | 2,050,000.00 | | |
| | 060011 | | | | | | | | | | | | | |
| | | | | | | | | | | | TOTAL | \$ | 2,050,000.00 | |
| | | | | | | | | | | | | | | |
| SERVICE | | | | | | | | | | ACCOUNTING | | OBLIGATED | | |
| <u>NAME</u> | <u>TOTAL BY ACRN</u> | | <u>ACCOUNTING CLASSIFICATION</u> | | | | | | | <u>STATION</u> | <u>AMOUNT</u> | | | |
| Army | | AA | 97 | X4930AC9D | 6D | 26KB | S20113 | | | W56HZV | \$ | 2,050,000.00 | | |
| | | | | | | | | | | | TOTAL | \$ | 2,050,000.00 | |

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LIST OF ATTACHMENTS

| List of Addenda | Title | Date | Number of Pages | Transmitted By |
|--------------------|----------------|-------------|--------------------|----------------|
| Attachment 001 | SPI AK12802961 | 05-APR-2003 | 004 | DATA |